



PATENT
0104-0317P

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IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Adel ASSEH et al. Conf.: 5525
Appl. No.: 09/749,395 Group: 2633
Filed: December 28, 2000 Examiner: BELLO, AGUSTIN
For: CHANNEL BALANCING OF A WAVELENGTH
DIVISION MULTIPLEXED OPTICAL SIGNAL

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

June 9, 2004

Sir:

Proximion Fiber Optics AB, (hereinafter "the Assignee")

- ☐ residing at ,
☒ a corporation of Sweden having a principal place of
business at Kista, Sweden,
☐ a university having an address of ,

represents that it is the true owner of the entire interest of
U.S. patent Application No. 09/749,395, filed on December 28,
2000, for "CHANNEL BALANCING OF A WAVELENGTH DIVISION MULTIPLEXED
OPTICAL SIGNAL," (hereinafter "above-identified application") by
virtue of and as evidenced by an Assignment recorded at the
United States Patent and Trademark Office at Reel 11576, Frame(s)
244,247.

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The Assignee hereby disclaims the terminal part of any
patent granted on the above-identified application which would

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extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,501,879, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to U.S. Patent 6,501,879 shall be the same as the legal title to any patent issuing from the above-identified application, this agreement to run with any patent granted on the above-identified application, and to be binding upon the grantee, its successors or assigns.

The Assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,501,879 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

This Terminal Disclaimer is submitted on behalf of the Assignee by the undersigned, an attorney of record in the above-identified application.

Appl. No. 09/749,395

Please charge any fees or credit any overpayment pursuant to
37 C.F.R. § 1.20 to Deposit Account No. 02-2448.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Date: June 9, 2004

By Joe McKinney Muncy
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Attachment(s)

(Rev. 02/13/2004)